

EXHIBIT C

TESLA'S EDITS TO MR. DIAZ'S PROPOSED STATEMENT OF THE CASE

Plaintiff Owen Diaz was employed by Defendant Tesla, Inc. from June 2015 to March 2016, ~~and He~~ brought a lawsuit against Tesla alleging violations of state and federal law. ~~It n a previous trial, it was conclusively~~ determined that Tesla is liable to Mr. Diaz for: (1) ~~intentionally~~ creating a hostile work environment based on race, (2) ~~intentionally~~ failing to prevent racial harassment in violation of federal law, and (3) negligently retaining and supervising one or more of Mr. Diaz's supervisors in violation of California state law.

As a result of these previous determinations of Tesla's liability, ~~you are to determine, what, if any, Mr. Diaz is entitled to recover from Tesla his~~ past and future non-economic damages ~~Mr. Diaz is entitled to recover from Tesla, in amounts you will be instructed to determine.~~

It was also ~~conclusively~~ determined ~~in the previous trial~~ that Tesla's unlawful conduct was conducted with malice, oppression, or in reckless disregard of Mr. Diaz's rights. As a result of those previous determinations, ~~you will be asked to determine the extent and degree of which were based on Tesla's conduct in creating a hostile work environment based on race, violating Mr. Diaz's civil rights pursuant to a contractual relationship, and/or failing to prevent harassment in the workplace based on Mr. Diaz's race, Mr. Diaz is also entitled to recover~~ punitive damages, ~~if any, Mr. Diaz is entitled to recover~~ from Tesla.

~~Tesla's liability in this case has already been determined. You are not permitted to question these findings.~~ Your task, based on the more specific instructions the Court will deliver later in this case, is:

1. ~~F~~ first to determine the amount, ~~if any,~~ of past and future non-economic damages needed to compensate ~~Owen Mr.~~ Diaz for ~~the~~ harm caused by Tesla that he suffered and will continue to suffer; and
- ~~1.2.~~ ~~S~~ second, to determine the ~~appropriate amount~~ extent and degree of punitive damages, if any, necessary to punish and deter Tesla- for ~~the~~ harm ~~it~~ caused to Mr. Diaz.